

File



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 4  
ATLANTA FEDERAL CENTER  
61 FORSYTH STREET  
ATLANTA, GEORGIA 30303-8960

JUN 11 2003

4WD-RCRA

Mr. Robert H. Daniell, Director  
Division of Waste Management  
Kentucky Department for Environmental Protection  
Frankfort Office Park  
14 Reilly Road  
Frankfort, Kentucky 40601

SUBJ: RCRA Compliance Evaluation Inspection  
Southern Wood Treatment Co.

EPA I.D. Number: KYD 076 769 728

Dear Mr. Daniell:

On April 16, 2003, a Compliance Evaluation Inspection was conducted by the United States Environmental Protection Agency (EPA) and the Kentucky Department for Environmental Protection (KYDEP) at Southern Wood Treatment Co. to determine the facility's compliance status with the Resource Conservation and Recovery Act (RCRA) and corresponding KYDEP regulations.

Enclosed is the EPA RCRA Site Inspection Report which indicates that violations of RCRA were discovered. Pursuant to the EPA - KYDEP Memorandum of Agreement, KYDEP is the lead agency for enforcement of the violations discovered during this inspection.

If you have any questions, please contact Larry Lamberth at (404) 562-8590.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Ken Lapierre".

Kenneth R. Lapierre, Chief  
North Enforcement and Compliance Section  
RCRA Enforcement and Compliance Branch

Enclosure



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4WD-RCRA

Ray Clifton  
Facility Owner  
Southern Wood Treatment Co.  
P.O. Box 556  
Gawthrop Drive  
Winchester, KY 40391

SUBJ: RCRA Compliance Evaluation Inspection  
Southern Wood Treatment Co.

EPA I.D. Number: KYD 076 769 728

Dear Mr. Clifton:

On April 16, 2003, Larry Lamberth and Bethany Russell of the U.S. Environmental Protection Agency (EPA) and Lloyd Funkhouser and Doug Sample of the Kentucky Department for Environmental Protection (KYDEP) conducted a hazardous waste management inspection at Southern Wood Treatment Co., located in Winchester, Kentucky. The purpose of the inspection was to determine the compliance status of this facility with the Resource Conservation and Recovery Act (RCRA) and corresponding KYDEP requirements. The enclosed report details noted RCRA violations. A copy of this report has been mailed to KYDEP.

If you should have any questions regarding this inspection report, please contact Larry Lamberth, at (404) 562-8590.

Sincerely,

A handwritten signature in black ink, appearing to read "Ken Lapierre".

Kenneth R. Lapierre, Chief  
North Enforcement and Compliance Section  
RCRA Enforcement and Compliance Branch

Enclosure

cc: Rôbert Daniell  
Lloyd Funkhouser

## RCRA Compliance Inspection Report

### 1) Inspectors and Authors of Report

Larry Lamberth, Environmental Engineer  
Bethany Russell, Environmental Scientist

### 2) Facility Information

Southern Wood Treatment Co. (Southern Wood)  
P.O. Box Gawthorpe Dr.  
Winchester, KY 40391  
EPA I.D. No.: KYD 076 769 728

### 3) Responsible Officials

Ray Clifton, Owner  
Southern Wood Treatment Co.

### 4) Inspection Participants

Ray Clifton- Southern Wood  
Billy Estes- Southern Wood  
Doug Sample- KYDEP  
Lloyd Funkhouser- KYDEP  
Larry Lamberth- US EPA- Atlanta  
Bethany Russell- US EPA- Atlanta

### 5) Date and Time of Inspection

April 16, 2003, 9:00 a.m.

### 6) Applicable Regulations

40 Code of Federal Regulations (C.F.R.) Parts 260-270,  
Resource Conservation and Recovery Act (RCRA) Sections 3005 and 3007, (42 US  
Code- Annotated U.S.C.A. 6925 and 6927),  
Title 401 Kentucky Administrative Regulations (KAR) Chapters 30-40.

7) Purpose of Inspection

The purpose of this inspection was to conduct an unannounced compliance evaluation inspection (CEI) and determine Southern Wood's compliance with the applicable requirements of RCRA and the corresponding Kentucky Department for Environmental Protection (KYDEP) regulations.

8) Facility Description

Southern Wood operates a wood preserving facility that currently uses chromated copper arsenate (CCA) or Dricon<sup>®</sup> fire retardant to treat select wood boards and decking materials. The facility has five employees and is the only Dricon<sup>®</sup> approved facility in the state of Kentucky.

Southern Wood is a small quantity generator. RCRA regulated wastes include waste CCA treated wood (D004/D007) and process wastewater and residuals from CCA wood treatment (F035). Dricon<sup>®</sup> is not considered a RCRA regulated waste. Hazardous wastes are managed primarily in 55-gallon drums.

9) Inspection Findings

The inspection began with an opening conference at 9:50 a.m. on April 16, 2003. Credentials were presented to Mr. Clifton, owner of Southern Wood, and the purpose of the inspection was stated. Mr. Billy Estes led the facility tour. A closing conference was held following the inspection to discuss the findings.

**CCA Process Building**

Untreated wood is received via tractor-trailer and is air-dried before CCA application. Wood is treated with CCA by use of a horizontal pressurized cylinder. Lumber enters the cylinder, the door is sealed, and the cylinder is filled with CCA preservative solution. The pressure in the cylinder is then raised, forcing the preservative into the wood. At the end of the process, excess preservative solution is pumped back into a storage tank for reuse.

Upon entering the CCA treatment area which consisted of a large metal building and concrete flooring, inspectors observed the large pressure cylinder on the right side of the facility and three large CCA storage tanks on the left side. Housekeeping at the facility was poorly managed. At the time of inspection, CCA mixed with rainwater had pooled on the floor throughout the facility (Photo 1).



401 KAR 34:030, Section 2 as incorporated by 401 KAR 32:030, Section 5 (1)(d) and 40 CFR § 265.31 as referenced by 40 CFR § 262.34(a)(4) require that facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or nonsudden release of hazardous waste or hazardous waste constituents to air, soil or surface water which could threaten human health or the environment.

Lloyd Funkhouser of KYDEP performed a follow-up visit to the facility approximately one week after the initial inspection. The facility corrected the violation by pumping the pooled mixture back into the holding tanks for reuse.

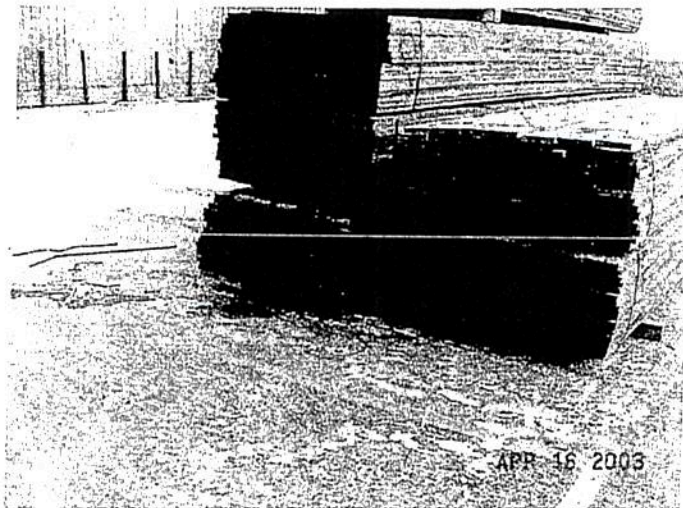


Photo 1. Pooled CCA/water mix on floor of process building.

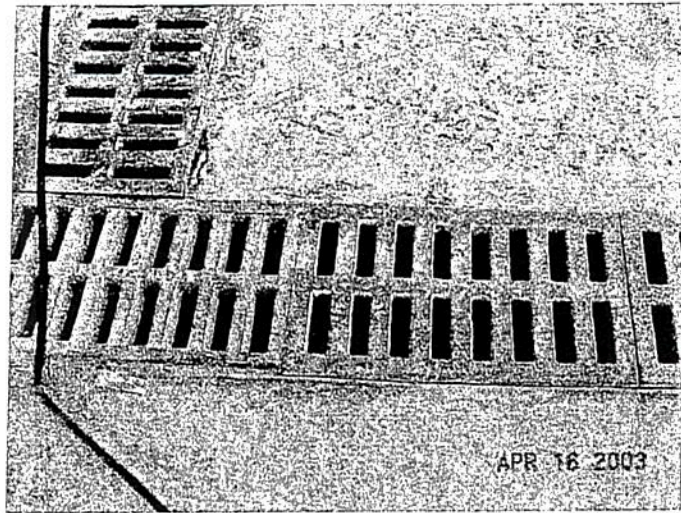
After leaving the pressurized cylinder, CCA treated lumber is moved to a drip pad located directly to the right of the process building (Photo 2). The pad is distinguished from unsealed concrete area by yellow "containment" lines and is equipped with an associated collection system (Photo 3). At the time of inspection, three pallets of treated wood were drying on the drip pad. Near the pad drainage system was an open box of CCA- treated wood chips, shavings, and debris (Photo 4). These shavings and debris are classified as D004/D007 hazardous wastes. Pursuant to 401 KAR 32:030, section 5(a)(1), hazardous waste is required to be placed in a container conforming to the regulation requirements in this subpart.

401 KAR 32:030, Section 5(a)(1) and 40 CFR § 262.34(a)(1)(i) allow that a generator may accumulate hazardous waste on-site for 90 days or less without a permit or without having interim status provided that the waste is placed in containers and the generator complies with the applicable requirements of 401 KAR 35:180, 35:275, 35:280, and 35:281. Southern Wood has failed to adhere to a condition for exemption from RCRA § 3005 and as such is illegally storing hazardous waste.

A follow-up inspection by Lloyd Funkhouser revealed that this violation was corrected by the facility. Waste CCA treated wood chips and shavings had been transferred to a 55-gallon drum.



**Photo 2.** Drip pad distinguished from unsealed concrete area by yellow "containment" lines.



**Photo 3.** Run-off collection system located in the pooling area of the drip pad.

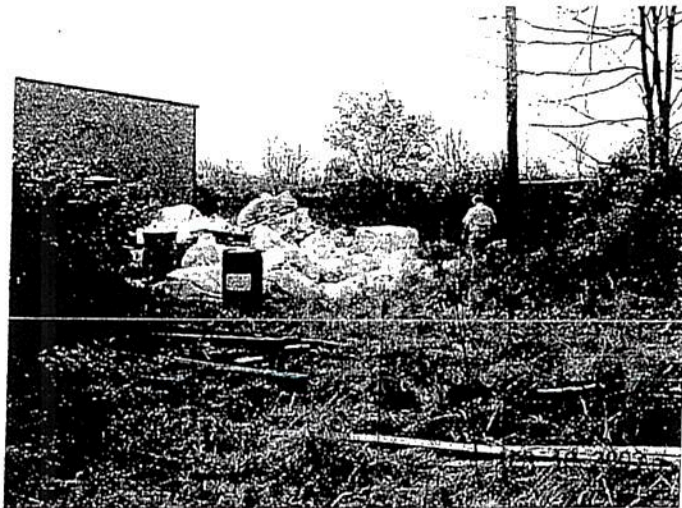


**Photo 4.** CCA treatment cylinder and waste pile (right).



### **Lumber Unloading Area and Dricon® Process Area**

After inspecting the CCA process area, inspectors walked the length of the property to the lumber unloading zone. Trash and debris were found scattered throughout the property (Photo 4). The same finding occurred behind the Dricon® facility where inspectors encountered a large mound of trash and debris (Photo 5). Although no EPA RCRA violations were attached to the findings, inspectors suggested the facility perform basic housekeeping tasks to avoid operating an open dump.



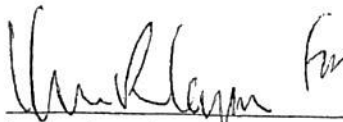
**Photo 5.** Trash pile located behind Dricon® process area on far right side of facility.

### **Records Review**


Manifests for 2002, annual pad inspection (pad sealant fixed 04/2002), and weekly inspection records for 2001 through 2003 were reviewed and revealed no violations.



10) Signed:

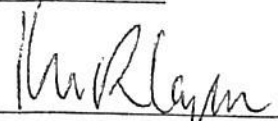
  
Larry Lamberth  
Environmental Engineer

6/2/03  
Date

  
Bethany Russell  
Environmental Scientist

5/19/03  
Date

11) Concurrence:

  
Kenneth R. Lapierre, Chief  
North Enforcement and Compliance Section  
RCRA Enforcement and Compliance Branch

6/2/03  
Date